

In the United States District Court

For the Western District of Texas

Pecos Division

United States
v.
Thomas Arthur

No. P-19-CR-774
Judge Counts

Advisory to Court Regarding
Mr. Arthur's Response [Doc. No. 64] to
United States's Motion in Limine to Exclude Expert Testimony etc.

JUDGE COUNTS:

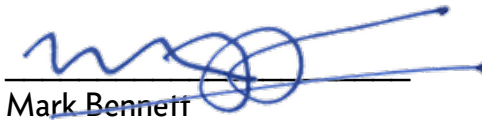
In Mr. Arthur's response, I wrote:

Mr. Arthur has conveyed to the Government an offer to stipulate to some of the elements in this case in order to sharpen the issues for the jury and to save the jury and this Court time.

The Government has reported that it did not interpret my offer as an offer. Which is fair, as the offer to stipulate ("If you have anything that you think we might be able to stipulate to, please let us know soon so we can bounce it off our client.") was not as clear as it should have been, and was easily subject to being misunderstood.

I have since clarified that Mr. Arthur will likely agree to stipulate to elements other than "obscenity," and asked if the Government might be willing to stipulate to any of these elements.

Thank you,



Mark Bennett

SBN 00792970

Bennett & Bennett

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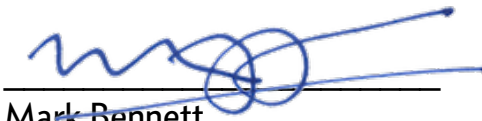
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CERTIFICATE OF SERVICE

A copy of this response was emailed to the attorneys for the Government before it was filed with this Court.



Mark Bennett